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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,256	08/05/2003	William E. Baucum JR.	09763-0102	7044

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DOUGLAS T. JOHNSON
MILLER & MARTIN
1000 VOLUNTEER BUILDING
832 GEORGIA AVENUE
CHATTANOOGA, TN 37402-2289

EXAMINER

RUTLAND WALLIS, MICHAEL

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/634,256

Applicant(s)

BAUCUM ET AL.

Examiner

Michael Rutland-Wallis

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2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-15, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 9-15, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed.

Authorization for this examiner's amendment was given in a telephone interview with Steve Stark on September 12, 2006.

The application has been amended as follows:

In the claims

Claim 9 line 5 "integral" is replaced by - - integral - -

Response to Arguments

Applicant's arguments with respect to claims 9-15 and 21-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 12-13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flegel (U.S. Pat. No. 5,895,981)

With respect to claim 9 Flegel teaches a method (overall system best seen in figures 1 and 2) of utilizing a temporary power connector having a cord (item 44) with at least two electrically insulated conductors (see conducting wires see for example figure 3) therein, a first end and an opposing second end, a first male plug (item 48) on the first end, and a second male plug (item 46) on the second end. Flegel teaches the system is designed to supply power to certain circuits of the building in the event of a power disruption (col. 1 lines 5-25), Flegel does not describe the step of switching or opening the breakers, however one of ordinary skill in the art would understand the method step of switching the appropriate breaker obvious in order to supply only desired or selected certain circuits with power. Flegel describes (col. 3 lines 38-48) in the operation of the embodiment of figure 1 where the user must plug the generator to the house and to the transfer panel 16 and 12. Flegel also teaches plugging the second male plug into a second outlet (not numbered or described however the plug item 46 inherently has a outlet to receive the plug) of an alternative power source (item 10), said alternative power source providing alternating current to a selected portion of the electrical distribution system through the first and second outlet. Flegel does not illustrate the connection of the utility of grid power, however one of ordinary skill in the art would anticipate the normal AC utility power received upstream of the main panel item 12, such connections are typical of a breaker box. The arrangement of Flegel

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therefore comprises an alternative supply, which is downstream from the main breaker when normal AC power is absent.

With respect to claim 12 Flegel teaches the method of claim 9 but is silent on the teaching of the first male plug is plugged into the first outlet prior to plugging the second plug into the second outlet. It would have been obvious to one of ordinary skill in the art at the time of the invention to plug the first plug in prior to the second plug as one would want to power a load from the AC utility power first without having to activate the generator or alternative source.

With respect to claim 13 Flegel teaches the electrical distribution system further comprises an electrical distribution box (item 12) and while the step of opening the at least one breaker further comprises opening the main breakers coming into the electrical distribution box from the normal alternating current power source is not described by Flegel. Flegel teaches specific loads are supplied with power certain breakers would need to be opened, such an operation would have obvious to one of ordinary skill in the art tat the time of the invention in order to power only certain loads.

With respect to claim 21 Flegel teaches method as described in claim 1 however does not teach the inclusion of additional outlet and configuration to supply a second selected portion of loads. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a second and third outlet to power a second portion of selected loads, since it is held the mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 9.

Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flegel (U.S. Pat. No. 5,895,981) in view of Skoglund (U.S. Pat. No. 5,268,850)

With respect to claim 10 Flegel teaches the method of claim 9 however does not discuss specific voltage levels in detail. As Flegel is directed to house typical voltages of a house are commonly 120 volts in the United States. Skoglund teaches a first outlet comprises a first 120 volt male plug into a first 120 volt outlet. Skoglund describes the AC power from the first outlet is provided from a AC utility power source and is described as 120 volts see column 4 lines 15-30. It would have been obvious to one of ordinary skill in the art at the time of the invention to use voltage levels of 120 volts for the plugs in order to supply a typical household load with power.

With respect to claim 11 Skoglund teaches the second male plug into the second outlet further comprises plugging a second 120 volt male plug into a second 120 volt outlet. Skoglund describes the AC power from the generator is provided to equivalent from an AC utility power source and is described as 120 volts.

Claims 14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flegel (U.S. Pat. No. 5,895,981) in view of Austin et al (U.S. Pat. No. 4,131,805)

With respect to claim 14 Flegel teaches device of claim 13 where first and second plugs are plugged into a first wall outlet and second outlet for connecting to electrical appliances. Flegel is silent on the voltages of the wall outlet. Austin teaches a conventional wall outlet typically is 120 volts or 240 volts (column 2 lines 15-21). It would have been obvious to one of ordinary skill in the art at the time of the invention to

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use 240 volt outlets in order to supply power to larger loads such as a washer, dryer or air conditioner.

With respect to claim 22 Flegel teaches the method of claim 9 however does not discuss specific voltage levels in detail. As Flegel is directed to house typical voltages of a house are commonly 120 volts and 240 volts in the United States. Austin teaches an outlet typically is 120 volts or 240 volts (column 2 lines 15-21). One of ordinary skill in the art would find the use of 240 volt generator in Flegel obvious and wherein two outlets may be provided in a parallel arrangement connected the breaker box of Flegel item 12 so as to divide the voltage equally to two 120 volt outlets in order to power two 120 volt loads from one alternative source.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Flegel (U.S. Pat. No. 5,895,981) in view of Weiner (U.S. Pat. No. 6,476,519)

Flegel teaches method of claim 9 but does not teach the step of securing undesired loads from the selected portion of the electrical distribution system. Weiner teaches the step of securing undesired loads (non-critical loads) from other critical loads in the distribution system. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Flegel to securing undesired loads from the selected portion of the electrical distribution system in order to power the selected loads for a longer duration.

Conclusion

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Foulapour (U.S. Pat. No. 6,608,264) teaches a similar electrical connector to that claimed, Greenberg (U.S. Pat. No. 3,466,453), Bentivolio (U.S. Pat. No. 5,118,301), Carlton (U.S. Pat. No. 5,395,264), Reid (U.S. Pub. No. 20050176266) all teach similar electrical connectors and method of use to that disclosed in the instant application.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

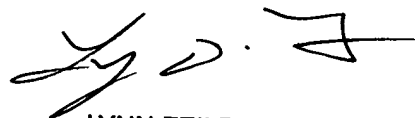
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Rutland-Wallis whose telephone number is 571-272-5921. The examiner can normally be reached on Monday-Thursday 7:30AM-6:00PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRW

A handwritten signature in black ink, appearing to read 'Lynn Feild', with a stylized flourish at the end.

LYNN FEILD
SUPERVISORY PATENT EXAMINER